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09/544,523	04/06/2000	MIKEL A. LEHRMAN	ML-1	7812
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ROBERT W MORRIS			TRAN, NHAN T	
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SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)
	09/544,523	LEHRMAN, MIKEL A.
	Examiner	Art Unit
	Nhan T. Tran	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 November 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-28 and 30-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-28 and 30-38 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-28, 30-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 11, 13-14, 17-18 & 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al. (US 4,887,161).

Regarding claim 11, Watanabe discloses a portable electronic photo album system (Figs. 1-7) comprising:

a portable electronic photo album (memory cartridge 20 shown in Figs. 1-7) that includes an electronic display (display 24), memory (22), and dedicated processing circuitry (CPU 21, D/A converter and driver 25A and other peripheral circuits as shown in Fig. 7) that displays one or more digital images stored in the memory, said electronic display, memory and dedicated processing circuitry being located within a housing (memory cartridge housing as shown in Figs. 1 & 5) that fits within a pocket-sized wallet

(see col. 5, line 60 – col. 6, line 15, wherein the memory cartridge can be placed in a pocket-sized wallet as an ID card);

at least one preloaded digital image (digital images are preloaded by the user when the memory cartridge is inserted into a digital camera 10 shown in Fig. 2 & 6 and col. 5, lines 30-38) that is stored in said memory, wherein said at least one preloaded digital image is operable of being displayed on said electronic display (col. 5, line 39 – col. 6, line 15);

a computer (system controller 11 and signal processor 16 of digital camera 10 shown in Fig. 4, col. 4, lines 16-24) that receives the one or more digital images as a result of first user input (shutter button 17) and sends the one or more digital images to the portable photo album as a result of second user input (an input for the user to keep the captured image) for storage in the memory (see col. 5, lines 30-38).

Regarding claim 13, Watanabe clearly discloses means for capturing the one or more digital images, wherein the means for capturing is a digital camera (see Figs. 2, 4, 6 & 7; col. 4, lines 7-40).

Regarding claim 14, as seen in Figs. 2, 4, 6 & 7, col. 4, lines 7-40, the system comprises means for capturing the one or more digital images, wherein the means for capturing is a scanner (note that the image sensor 13 of digital camera 10 represents a scanner as it scans an subject by means of vertical and horizontal lines and converts optical signals into electrical signals of an image).

Regarding claim 17, Watanabe also discloses that the computer includes application software (a program) for manipulating the captured digital images (see col. 4, lines 19-24).

Regarding claim 18, as shown in Figs. 2 & 6, the computer includes a monitor (also display 24), and the application software includes the ability to display on the monitor the one or more digital images exactly as the one or more digital images appear when displayed on the electronic display of the portable photo album (see col. 5, lines 30 – col. 6, line 18 in the display 24 is used as a monitor when attached to the digital camera 10, and also used as a photo album display when detached from the digital camera for displaying exactly the same captured images).

Regarding claim 33, Watanabe discloses a portable electronic photo album (Figs. 1 & 5) comprising: a housing structure (memory cartridge housing structure 20 as shown in Figs. 1 & 5) structure that fits within a pocket-sized wallet (see col. 6, lines 10-15, wherein the memory cartridge is also an ID card that fits into a pocket-size wallet); an electronic display (display 24), located within the housing, capable of displaying user-provided digital images (col. 5, line 30-15 in which the digital images are provided by the user by capturing images from the digital camera 10 and stores those images into the memory cartridge 20);

memory (22), located within the housing (see Fig. 7), that stores one or more user-provided digital images, wherein at least one preloaded digital image is stored in said memory (see col. 6, lines 50-61 and note that at least one preloaded digital image is the image that was stored previously, i.e., a week before new images are captured and stored together to update the album);

dedicated processing circuitry (CPU 21, D/A converter and driver 25A and other peripheral circuits as shown in Fig. 7), located within the housing and being coupled to the memory (22) and the display (24), the processing circuitry being operable to display on the electronic display the one or more digital images and preloaded digital image stored in the memory (see col. 5, line 60 – col. 6, line 15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15, 16, 19, 22, 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US 4,887,161) in view of Freeman et al. (US 6,068,183).

Regarding claim 19, Watanabe discloses all limitations of claim 19 by the analyses of claims 11 & 33 except for disclosing the electronic display being flexible display.

However, Freeman teaches a display of a chip card (Fig. 1A) that is made flexible to prevent crack or damage of the display when the card is stored in a pocket, wallet or purse (see Freeman, col. 6, lines 25-30, 59-65).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Watanabe and Freeman to make the display 24 in Watanabe flexible so as to prevent crack or damage to the display when it is stored in a pocket, wallet or purse as suggested by Freeman above.

Regarding claim 22, Watanabe also discloses all limitations of claim 22 by the analysis of claims 11 & 33 except for disclosing that sound is integrated with at least one of said user-provided digital images.

As taught by Freeman, a wallet-sized Chip Card (10 shown in Figs. 1A-2) comprises an internal memory for storing a plurality of images and associated sound that are played back on a display and a speaker for the user to view the images and listen to the sound (see Freeman, col. 1, lines 50-59; col. 3, lines 26-38 and col. 6, lines 59-65).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the wallet-sized photo album of Watanabe by integrating sound with the user-provided digital images and improving the photo album to have both display and speaker located

within the album's housing so that the user would be able to not only view the images but also listen to the sound associated with the image in an attractive fashion.

Regarding claim 34, see the analysis of claim 22 for a speaker for producing sound.

Regarding claim 35, see the analysis of claim 19 for a flexible display.

Regarding claim 36, all limitations of claim 36 are also met by the analyses of claims 19 and 33 above.

Regarding claim 37, it is clear that the housing structure (cartridge 20) is hard (see Watanabe, Figs. 1 & 5).

Regarding claim 38, Although Watanabe does not teach that video clips are stored in the memory and are playable by the processing circuitry, this lack of teaching is compensated by Freeman's teaching in col. 3, lines 60-61, wherein a sequence of images for animation are stored in the memory and are playable on the display by the dedicated processing circuitry (i.e., microprocessor 16).

Therefore, it would have been obvious to one of ordinary skill in the art to improve the apparatus of Watanabe for storing video clips, thereby enabling the user to

watch motion images, i.e., some special moments in his/her life, etc., in addition to still images.

Regarding claims 15 & 16, although Watanabe discloses means (digital camera 10) for capturing the one or more digital images (Fig. 4, col. 4, lines 7-40), Watanabe does not teach the means for capturing is a CD-ROM or a floppy disk which includes digital images. Freeman teaches a Chip Card (10 shown in Fig. 5B) can be connected to a PC or Laptop for transmitting and receiving digital image data which is captured and stored in an inherent disk (i.e., hard disk, CD-ROM or floppy disk; see Freeman, col. 5, lines 29-35).

Therefore, it would have been obvious to one of ordinary skill in the art to capture digital image data using a CD-ROM, floppy disk available in the computer as inexpensive and large capacity peripheral devices for storing and transferring images in a conventional method.

4. Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al (US 4,887,161) in view of Ray et al (US 5,321,751).

Regarding claim 30, Watanabe discloses a portable electronic photo album comprising:

a structure (structure 20, Figs. 1 & 5) that fits within a pocket-sized wallet (see col. 6, lines 10-15, wherein the card 20 can be as small as an ID card that fits within a pocket-sized wallet);

an electronic display (display 24), located on the structure, capable of displaying digital images (col. 6, lines 10-15);

a memory card, coupled to the structure and matable with the structure that stores one or more user-provided digital images (col. 6, lines 50-51, wherein memory 22 is mated with the structure 20 to form a card structure as shown in Fig. 7);

processing circuitry (CPU 21, D/A converter and other peripheral circuits shown in Fig. 7) coupled to the structure and being coupled to the display and to the memory card when the memory card is mated to the structure (i.e., during manufacture of the photo album 20), the processing circuitry being operable to display on the electronic display the one or more user-provided digital images stored in the memory card (Figs. 5 & 7; col. 5, line 60 – col. 6, line 61).

Watanabe further suggests that other various applications are possible (Watanabe, col. 6, lines 10-15).

Watanabe fails to teach a magnetic strip located on the structure that includes credit card information, wherein the magnetic strip is operable to be swiped through a credit card reader.

However, as taught by Ray, a credit card (10) has a magnetic strip as shown in Fig. 1. The credit card can include a storage for storing a digital image beside

conventional credit card information so that digital picture of the owner or authorized user can be securely verified. See abstract, col. 1, lines 5-12 and col. 4, lines 8-26.

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Watanabe and Ray to make the pocket-size photo album as a credit card having a magnetic strip containing credit card information to be read by a credit card reader in addition to digital images of the card owner stored in the card structure so that the credit card would be used as a dual-purpose card containing personal electronic photo album and credit card information for validation in a convenient and secured manner.

Regarding claim 31, Watanabe further discloses a display memory (display memory buffer 24A; Fig. 7) and that the processing circuitry in Watanabe swaps image data from the memory card into the display memory for display on the electronic display (see col. 6, lines 62-66).

Regarding claim 32, it is also clear that the image data can be displayed on the LCD 24 directly from the memory card without using a display memory buffer as shown by Watanabe in Fig. 4.

5. Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. and Freeman et al. as applied to claim 22 and further in view of Hornback (PCT WO 99/56463).

Regarding claim 25, Watanabe discloses an electrical connector (29/30) mounted to the housing as shown in Figs. 1-7 for loading user-provided digital images into the memory (22). Watanabe further suggests that his electronic photo album is not only arranged to be connected to a digital camera but it can also be connected to other recording apparatus or a playback apparatus by means of electrical contacts (see Watanabe, col. 6, lines 19-25). Watanabe and Freeman do not explicitly describe that the means of electrical contacts is a cable connected to the connector.

Hornback teaches communications between electronic devices (i.e., between photo albums 130 and 404 shown in Fig. 4) is established for sharing images between the electronic photo albums by using either USB, FireWire cables, or infrared interface (page 7, lines 19-24).

Therefore, it would have been obvious to one of ordinary skill in the art to alternately configure the photo album in Watanabe and Freeman by incorporating the teaching of Hornback to use a communication cable (i.e., USB cable, FireWire cable, etc.) as a communication medium to extend a distance between devices for sharing digital images instead of using a direct contact, thereby providing location flexibility between devices.

Regarding claim 26, see the analysis of claim 25, wherein USB or FireWire is a conventional interface cable.

Regarding claim 27, Watanabe and Freeman further teaches that the user-provided digital images can be loaded into the memory via a wireless communication port (see Freeman, col. 2, lines 66-67 and col. 4, lines 17-20) but are silent about the wireless communication port being an infrared I/O port. Such lack of teaching is compensated by Hornback on page 7, lines 19-24 in which the communication interface between an electronic photo albums (103, 404 shown in Fig. 4) can be an infrared interface.

Therefore, it would have been obvious to one of ordinary skill in the art to further modify the photo album in Watanabe and Freeman to use one of available wireless technologies including infrared I/O port for implementing the wireless communication suggested by Hornback. As doing this, it would enhance mobile communication between the devices without using a cable or direct contact.

Regarding claim 28, although Watanabe teaches an electronic photo album (20) as analyzed in claims 11 & 33 above, wherein the user-provided digital images are loaded into memory via a connector (29/30), Watanabe and Freeman both fail to teach that the electronic photo album comprises a Flash memory connector such that the digital images are loaded into the memory via a Flash card connector to the memory connector. However, it is generally known in the art that an electronic photo album or a memory card can be a Flash memory having compatible Flash memory connector for transferring image data as suggested by Hornback in page 7, lines 11-16.

Therefore, it would have been obvious to one of ordinary skill in the art to improve the imaging apparatus in Watanabe and Freeman by using a Flash memory technology having compatible Flash memory connector for loading image data into the memory so that the image data is retained in the photo album 20 without requiring power supply after being removed from the digital camera which is major advantage of the Flash memory (non-volatile) over other volatile memories, such as memory 22 in Watanabe that requires a backup power supply.

6. Claims 20, 21, 23 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. and Freeman et al. as applied to claims 19 & 22 and in further view of Rowland (US 5,801,970).

Regarding claims 20 & 21, Watanabe teaches the apparatus of claims 19 & 22 having a CPU as a processing circuitry as analyzed above. Watanabe and Freeman do not explicitly disclose an ASIC or PLD circuitry. However, Rowland teaches that it is well known for a processing circuitry to be implemented by either a CPU, ASIC or PLD circuitry (see Rowland, col. 4, lines 49-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an alternative and equivalent circuitry such as an ASIC or PLD in place of the CPU of Watanabe and Freeman for low cost and low complexity.

Regarding claims 23 & 24, see the analyses of claims 20 & 21.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US 4,887,161) in view of Hornback (PCT WO 99/56463).

Regarding claim 12, Watanabe discloses the portable photo album system in claim 11 further comprising means (digital camera 10) for capturing the one or more digital images (Fig. 4, col. 4, lines 7-40). Watanabe discloses a common interface (an electrical connector 29/30) mounted to the cartridge housing (Figs. 1-7) for loading user-provided digital images into the memory (22) from the computer (controller 11 and signal processor 16 shown in Fig. 4). Watanabe further suggests that his electronic photo album is not only arranged to be connected to a digital camera but it can also be connected to other recording apparatus or a playback apparatus by means of electrical contacts (see Watanabe, col. 6, lines 19-25). Watanabe does not explicitly disclose that the common interface is a cable.

Hornback teaches communications between electronic devices (i.e., between photo albums 130 and 404 shown in Fig. 4) is established for sharing images between the electronic photo albums by using either USB, FireWire cables, or infrared interface (page 7, lines 19-24).

Therefore, it would have been obvious to one of ordinary skill in the art to alternately configure the electronic photo album in Watanabe by incorporating the teaching of Hornback to use a communication cable (i.e., USB cable, FireWire cable,

etc.) as a communication medium to extend a distant between devices for sharing digital images, thereby providing location flexibility between devices.

8. Claims 1, 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US 4,887,161) in view of Freeman et al. (US 6,068,183) and in further view of Etoh (US 5,729,289).

Regarding claim 1, by incorporating the analyses of claims 22 & 33, Watanabe in view of Freeman discloses all limitations of claim 1 for an portable electronic photo album comprising: a housing structure that fits within a pocket-sized wallet; an electronic display, located within the housing, capable of displaying user-provided digital images; memory, located within the housing, that stores one or more digital images; processing circuitry, located within the housing and being coupled to the memory and the display, the processing circuitry being operable to display on the electronic display the one or more digital images stored in the memory; and a speaker located within the housing for playing sound (see claims 22 & 33).

As shown in Fig. 5 of Watanabe, the portable electronic photo album includes user input buttons (23a & 23b) for switching between forward and backward image frame displayed on the display 24. However, Watanabe and Freeman do not teach that the display area of the electronic display is more than half the size of the area of the surface of the housing structure about the electronic display and the electronic display is a touch-screen electronic display.

In a reference to Etoh, an electronic display (Fig. 1) has a display area (103) is more than half of the size of the surface of the housing structure (101) about the display, and the electronic display is a touch-screen display for the user to forward or backward among displayed images by touching areas 7a' or 7b' as shown in Fig. 4 (see Etoh, col. 5, lines 13-20, 35-40).

Therefore, it would have been obvious to one of ordinary skill in the art at to modify the display area of the display in Watanabe and Freeman in view of Etoh by making the display area more than half of the housing structure for increasing the display area so as to enable the user to easily view the image while reducing the number of mechanical buttons on the portable electronic photo album by implementing a touch-screen on the display.

Regarding claim 4, as shown by Etoh in Fig. 4, col. 5, lines 35-40, the housing includes at least one user input device (7a', 7b') for advancing which digital image is displayed on the electronic display.

Regarding claim 5, as shown by Etoh in Fig. 4, col. 5, lines 35-40, the electronic display also displays at least one user input location (7a', 7b') for advancing which digital image is displayed on the electronic display.

Regarding claims 6 & 7, it is also clear that the electronic display is a liquid crystal display (see Watanabe, col. 3, lines 26-33 or Etoh, col. 5, lines 13-20) and the display is flexible (see claim 19 for the flexible LCD taught by Freeman).

9. Claims 2 & 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al., Freeman et al., Etoh as applied to claim 1 and in further view of Rowland (US 5,801,970).

Regarding claims 2 & 3, Watanabe teaches the apparatus of claims 19 & 22 having a CPU as a processing circuitry as analyzed above. Watanabe, Freeman and Etoh do not explicitly disclose an ASIC or PLD circuitry. However, Rowland teaches that it is well known for a processing circuitry to be implemented by either a CPU, ASIC or PLD circuitry (see Rowland, col. 4, lines 49-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an alternative and equivalent circuitry such as an ASIC or PLD in place of the CPU of Watanabe and Freeman for low cost and low complexity.

10. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al., Freeman et al., Etoh as applied to claim 1 and in further view of Hornback (PCT WO 99/56463).

Regarding claim 8, Watanabe discloses an electrical connector (connector 29/30) mounted to the cartridge housing (Figs. 1-7) for loading user-provided digital images into the memory (22) from an external device (controller 11 and signal processor 16 shown in Fig. 4). Watanabe further suggests that his electronic photo album is not only arranged to be connected to a digital camera but it can also be connected to other recording apparatus or a playback apparatus by means of electrical contacts (see Watanabe, col. 6, lines 19-25). Watanabe does not explicitly disclose a cable connected to the connector.

Hornback teaches communications between electronic devices (i.e., between photo albums 130 and 404 shown in Fig. 4) is established for sharing images between the electronic photo albums by using either USB, FireWire cables, or infrared interface (page 7, lines 19-24).

Therefore, it would have been obvious to one of ordinary skill in the art to alternately configure the electronic photo album in Watanabe by incorporating the teaching of Hornback to use a communication cable (i.e., USB cable, FireWire cable, etc.) as a communication medium to extend a distance between devices for sharing digital images instead of using a direct contact, thereby providing location flexibility between devices.

Regarding claim 9, Watanabe, Freeman and Etoh further teaches that the user-provided digital images can be loaded into the memory via a wireless communication port (see Freeman, col. 2, lines 66-67 and col. 4, lines 17-20) but are silent about the

wireless communication port being an infrared I/O port. Such lack of teaching is compensated by Hornback on page 7, lines 19-24 in which the communication interface between an electronic photo albums (103, 404, shown in Fig. 4) can be an infrared interface.

Therefore, it would have been obvious to one of ordinary skill in the art to further modify the photo album in Watanabe, Freeman and Etoh to use one of available wireless technologies including infrared I/O port for implementing the wireless communication suggested by Hornback. As doing this, it would enhance mobile communication between the devices without using a cable or direct contact.

Regarding claim 10, although Watanabe teaches an electronic photo album (20) as analyzed in claims 11 & 33 above, wherein the user-provided digital images are loaded into memory via a connector (29/30), Watanabe, Freeman and Etoh fail to teach that the electronic photo album comprises a Flash memory connector such that the digital images are loaded into the memory via a Flash card connector to the memory connector. However, it is generally known in the art that an electronic photo album or a memory card can be a Flash memory having compatible Flash memory connector for transferring image data as suggested by Hornback in page 7, lines 11-16.

Therefore, it would have been obvious to one of ordinary skill in the art to improve the imaging apparatus in Watanabe, Freeman and Etoh by using a Flash memory technology having compatible Flash memory connector for loading image data into the memory so that the image data is retained in the photo album 20 without

requiring power supply after being removed from the digital camera which is major advantage of the Flash memory (non-volatile) over other volatile memories, such as memory 22 in Watanabe that requires a backup power supply.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (571) 272-7371. The examiner can normally be reached on Monday - Friday, 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NHAN T. TRAN
Patent Examiner



DAVID OMETZ
SUPERVISORY PATENT EXAMINER